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INDICATING STATUS IN THE DEDICATION BY L. AUFIDIUS APRILIS
(*NdS* 29, 1975, 224 = *AE* 1977, 25)

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INDICATING STATUS IN THE DEDICATION BY L. AUFIDIUS APRILIS
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Some years ago in *Notizie degli Scavi* 29, 1975, 224–9, among several epitaphs recently discovered in the Via Flaminia Silvio Panciera published the following:¹

L. Aufidius Aprilis
c[or]intharius
[de thea]tro Balbi
[sibi] et
5 [---]ae Secundae
[---]ri sanctissimae et
[Gar]giliae Sp. f. Venustae
M. Antoni M. f. Pap(iria)
Flacci liberti Felicis
10 uxori piissimae et
M. Antonio Felici.

L. Aufidius Aprilis, a worker or dealer in ‘Corinthian bronze’ vessels at the Theatre of Balbus, dedicates the inscription to himself and his wife [---] Secunda (reading ‘[uxo]ri’ at the beginning of line 6) and to a second couple, M. Antonius Felix and his wife Gargilia Venusta. While Gargilia Venusta is freeborn and illegitimate – ‘Sp(urii) f(ilia)’ – her spouse M. Antonius Felix, a freedman of a certain M. Antonius Flaccus, is of slave origin. The inscription is dated on stylistic grounds to the latter half of the first century AD.

The problem is the status of Felix. His name occurs twice in the dedication, once without status indication simply as M. Antonius Felix (line 11), but as his wife Venusta is earlier called ‘uxor piissima M. Antoni M. f. Pap(iria) Flacci liberti Felicis’ (lines 8–9), he is taken by Panciera and also the editors of *Année Epigraphique* to be both an ex-slave (‘Flacci libertus’) and freeborn complete with filiation and tribal indication (‘M. f. Pap.’). Not surprisingly, this is difficult to emulate.

Panciera in his commentary (226–9) patiently examines all the social and legal possibilities. He rightly dismisses the notion either that we have here a non-judicial way of expressing that Felix could be simply the natural slave-born son of his patron Flaccus, i.e. ‘filius et libertus’, common enough where the father was himself an ex-slave,² or that Felix was a freeborn citizen in some way reduced to freedman status.³ In both cases, not only formal filiation, but also especially the tribal indication would be quite anomalous. Freedmen sometimes used an urban tribal indication, usually *Palatina*, but very rarely a rural tribe and in particular *Papiria* apparently not at all.⁴ On the other hand, the special procedures by which a *libertus* could juridically become an *ingenuus*, namely by *restitutio natalium* (which reversed the consequences of illegal enslavement), and by the *ius anulorum* (a privilege

¹ Inscription references are to *CIL* unless stated otherwise. Abbreviated references are used as follows: Chantraine = H. Chantraine, *Freigelassene und Sklaven im Dienst der römischen Kaiser* (Wiesbaden 1967); Weaver = P. R. C. Weaver, *Familia Caesaris: A Social Study of the Emperor’s Freedmen and Slaves* (Cambridge 1972).

² For instances where the mother also could be patron of her own child, see Weaver, *Chiron* 20, 1990, 286–7.

³ As could happen, contrariwise, to freeborn women who consorted with a male slave of another master under the *senatus consultum Claudianum* of AD 52.

⁴ See the examples quoted by Mommsen, *Römisches Staatsrecht* ³ 3.441 n. 1; cf. L. R. Taylor, *The Voting Districts of the Roman Republic* (Rome 1960), 147 n. 55.

conferred by the emperor to enable a freedman to enter the *ordo equester*) are equally inappropriate in this instance.

The only comparable but hardly parallel example to this latter I can find is the unique dedication from Minternum to Aurelius Augg. lib. Alexander, v(ir) e(gregius) (*AE* 1935, 20) who in the early third century was granted equestrian status by Caracalla, Elagabalus or Severus Alexander when he was appointed to the auxiliary equestrian post of *praepositus sacrarum cognitionum*. But when they put up his inscription the overenthusiastic decurions of Minternum recorded both his former status as Imperial freedman *and* his new rank as equestrian. Such elevation, even for an Imperial freedman, was itself exceptional.⁵

Pancierera then, citing the legal sources, carefully discusses whether Felix could have been adopted under the procedure of *adrogatio* whereby he would have become *filius familias* under the *patria potestas* of his adoptive father.⁶ He even considers the possibility that Felix, though manumitted by Flaccus, could have been adopted by someone else unnamed. Felix could not, however, have become by legal fiction retrospectively freeborn (*ingenuus*).⁷ The reason why traces of such a procedure are not otherwise found in the epigraphic sources, Panciera concludes, is that in cases of *libertini adrogati* emphasis would naturally fall on the adoption rather than the manumission stage of the process, in deference to both the manumitted slave and the adopting patron.

Such an explanation of an admittedly unparalleled case, while ingenious, is not compelling or necessary. Why was it necessary to repeat the name of Felix at all, complete with *praenomen*, *nomen* and *cognomen*, ‘M. Antonius Felix’, if all three components had already been spelled out in an even fuller form above? And why use the less formal *cognomen* form of the patron’s name in the freed status indication (‘Flacci libertus’) with ‘libertus’ given surprising prominence by being spelled out in full rather than the more discreet and usual ‘l.’ or ‘lib.’? The answer must be that it is not the name of the *libertus* Felix that is fully displayed in lines 8–9 but that of his patron, M. Antonius M. f. Pap(iria) Flaccus, who is freeborn and a citizen, while M. Antonius Felix is and remains his freedman: (M. Antonius) M. Antoni M. f. Pap. Flacci libertus Felix.

The peculiarity of this dedication by L. Aufidius Aprilis lies in the unusually full form of the status indication of the freedman, presumably to do honour to the latter’s patron, and in the even more unusual and therefore emphatic placing of this status indication *before* the name of the dedicand as a result of avoiding the seemingly unnecessary duplication of the same *praenomen* and *nomen* in the same grammatical case among the plethora of genitives dependent on ‘uxori’ in line 10. Again exact parallels are elusive. The closest I can find is 10.1878: ‘C. Iulius C. Iuli C. f. Fal(erna) Erasti libertus Didymus’, where the duplicated *nomen* does not occur twice in the same case; cf. *AE* 1923, 72: ‘[Ti. Iu]lius Ti. Iuli Aug. lib. Medates’.⁸ Such cases of status indication, with or without duplicated *nomen*, can be found in the Familia Caesaris where the extended form of the emperor’s name is occasionally used, e.g. 6.8803 = *ILS* 1730: ‘Ti. Claudius Chloreus Neronis Claudi Caesaris Aug. corporis custos’, and also where a freedman of an Imperial freedman (*Augusti liberti libertus*) defers to his immediate patron in the use of the Imperial *nomen* as they both must have the same *nomen*, e.g. 6.10547 = 14.2671: ‘Acratus Ti. Iuli Aug. liberti Himeri lib(ertus)’.

⁵ Weaver 265 n. , 282–3.

⁶ Panciera, art. cit. 228–9 + n. 99 with references to the extensive modern literature on *adrogatio libertinorum*.

⁷ Aulus Gellius, *Noctes Atticae* 5.19.12: ‘sed id neque permitti dicit [Masurius Sabinus] neque permittendum esse umquam putat, ut homines libertini ordinis per adoptiones in iura ingenuorum invadant’.

⁸ Chantraine (18 n. 13) emends to ‘Ti Iulius Ti. Iuli Aug. lib. [lib.] Medates’ on the grounds that Tiberius is never called ‘Ti. Iulius Augustus’; this creates a freedman (Ti. Iulius Medates) of an Imperial freedman without *cognomen*.

Less common are the cases where the status indication, which of course indicates the name of the patron in some form, occurs before any part of the name of the dedicand. Again examples from the *Familia Caesaris* are to hand:⁹

1. Ti. Caesaris Aug. l. Aegle (*AE* 1930,66)
2. Ti. Caeseris(!) l. Hellas (6.20497)
3. Aug. lib. Phocas (6.12456)
4. Aug. l. T. Flavius Apollophanes (*AE* 1958, 185)
5. Aug. lib. P. Aelius Agathemer (*AE* 1988, 176)
6. Divi Aug. liberti Calycis l. Hygia (*AE* 1984, 951 = *SEG* 32, 1982, 1613) (same order also in the Greek version).

The unusual order of the status indication in the first four cases can be explained as inadvertent omission of the *nomen* before the status indication (Nos. 1 & 3) or inadvertent omission of the status indication followed by its hasty insertion where space was available (Nos. 2 & 4).¹⁰ But neither explanation applies to the last two examples. In No. 6, there is a Greek version which exactly repeats the Latin one which comes first and is presumably the original. In No. 5 the status indication 'Aug. lib.' at the head of the inscription is prominently and carefully placed either side of an ivy decoration in letters of the same size as the rest of the dedication. This is scarcely a stonemason's error or an afterthought.

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⁹ On the position of the status indication in general in the *Familia Caesaris* material, see Chantraine 281–92; Weaver 76–78.

¹⁰ See Chantraine 18 nn. 11, 12 and, for examples of exceptional placement of Imperial status indications, id. 281 n. 1.